

1 Boris Treyzon, Esq. (State Bar No.188893)
2 **ABIR COHEN TREYZON SALO, LLP**
3 16001 Ventura Blvd,
4 Los Angeles, CA 91436
Telephone: (310) 407-7888
E-Mail: Btreyzon@actslaw.com

5 Attorneys for Defendants Boris Treyzon
6 And Abir Cohen Treyzon Salo, LLP

7 **UNITED STATES BANKRUPTCY COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**
9 **LOS ANGELES DIVISION**

10 In Re

11 GIRARDI KEESE

12 Debtor.
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15 ELISSA D. MILLER, Chapter 7 Trustee for
16 the bankruptcy estate of Girardi Keese,

17 Plaintiff,
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19 v.

20 ABIR COHEN TREYZON SALO, LLP, a
21 California limited liability partnership; and
22 BORIS TREYZON, an individual,
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Defendants.

CASE NO. 2:20-bk-21022-BR

[Chapter 7]

**EVIDENTIARY OBJECTIONS TO
DECLARATION OF ELISSA MILLER
DATED JANUARY 25, 2021 IN SUPPORT
OF MOTION TO APPROVE
SETTLEMENT**

Date: February 2, 2021

Time: 10:00 a.m.

Ctrm.: 1668 via ZoomGov 255 E. Temple
Street Los Angeles, CA 90012

Web Address:

<https://cacb.zoomgov.com/j/1614873359>

Meeting ID: 1614873359

Password: 123456

Telephone: (669) 254-5252 (San Jose)
(646) 828-7666 (New York)

TO THE HONORABLE BARRY RUSSELL, UNITED STATES BANKRUPTCY
JUDGE, ELISSA MILLER, INTERIM CHAPTER 7 TRUSTEE, THE OFFICES OF THE
UNITED STATES TRUSTEE AND ALL OTHER INTERESTED PARTIES:

Abir Cohen Treyzon Salo, LLP and Boris Treyzon hereby submits the following
objections to the Declaration of Elissa Miller dated January 25, 2021 submitted in Support of
Emergency Motion to Approve Settlement.

**I. Various Portions of the January 25, 2021 Miller Declaration are Inadmissible
Under the Federal Rules of Evidence.**

The Court should not consider portions of the January 25, 2021 Elissa Miller Declaration
because portions of the Declaration are inadmissible and should be disregarded. Evidence
submitted to the Court on motion practice must meet all requirements for admissibility of
evidence as if offered at the time of trial. *Beyene v. Coleman Sec. Services, Inc.*, 854 F.2d 1179,
1181-82 (9th Cir. 1988). Testimonial evidence must be based on personal knowledge of the
witness offering the evidence. Fed. R. Evid. 602. The January 25, 2021 Miller Declaration fails
to meet the criteria as set forth above.

	Proffered Evidence	Objection
1.	Miller Decl., ¶ 11. Relief is necessary on an expedited basis because ACTS, in violation of the ethical rules governing California attorneys, has recently sent unsolicited emails containing a number of misrepresentations to the Debtor's and Frantz's joint clients in the Southern California Gas Leak Litigation seeking to convert the clients to its own, despite knowing that the clients are currently represented by both the Debtor and Frantz. I am informed and belief that approximately 50	Fed. R. Evid 602, 801, 901 The Trustee lacks personal knowledge of this statement and the statement lacks foundation and is inadmissible hearsay and speculation. Moreover, Ms. Miller is not competent to opine as an expert in attorney ethics.

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	families have been tricked into signing retainer agreements with ACTS, and it is feared that more will follow suit as a result of the unethical behavior of ACTS. (21:4-11)	
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Dated: January 29, 2021

ABIR COHEN TREYZON SALO, LLP

By: /s/ Boris Treyzon

Boris Treyzon, Esq.
Attorneys for Defendant ABIR COHEN
TREYZON SALO, LLP, and BORIS
TREYZON